

# DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: VASCULAR PROSTHESIS, the specification of which is attached hereto unless the following box is checked:

☒ Was filed on May 15, 1998 as PCT International Application No. PCT/GB98/01418.

WE HEREBY STATE THAT WE HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
9709967.5	GB	17/05/1997	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
*	

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

25/7/01

Date

Name:

Peter Lynn Harris

Residence:

19 Ince Road, Liverpool, Merseyside L23 4UE, United Kingdom

Citizenship:

GB

Post Office Address:

Same as Above

25/7/01

Date

Name:

Thien Vuon How

Residence:

17 Middlefield Road, Liverpool, Merseyside L16 3JR, United Kingdom

Citizenship:

GB

Post Office Address:

Same as Above



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JUNE 06, 2001

PTAS

MORRISON & FOERSTER LLP  
TODD W. WIGHT  
19900 MACARTHUR BOULEVARD  
SUITE 1200  
IRVINE, CALIFORNIA 92612-2445



\*101667735A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/09/2001

REEL/FRAME: 011635/0828  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

VORTEX INNOVATION LIMITED

DOC DATE: 09/27/2000

**ASSIGNEE:**

IMPRA, INC., A SUBSIDIARY OF C.R.  
BARD, INC.  
1625 WEST 3RD STREET  
P.O. BOX 1740  
TEMPE, ARIZONA 85280

SERIAL NUMBER: 09762761  
PATENT NUMBER:

FILING DATE:  
ISSUE DATE:

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

**RECEIVED**

**JUN 13 2001**

**MORRISON & FOERSTER LLP  
LOS ANGELES**

AD 581 10

04-04-2001

09/762761  
PARTMENT OF COMMERCE

RECORDED



Patent and Trademark Office  
Docket No. 297912001620

2-9-01

101667735

423163101000 09 FEB 2001

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Vortex Innovation Limited

- ☐ Individual(s)      ☐ Association  
☐ General Partnership      ☐ Limited Partnership  
☐ Corporation-State      ☒ Other-Private Company

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: IMPRA, Inc., a subsidiary of C.R. Bard, Inc.  
Internal Address: P.O. Box 1740  
Street Address: 1625 West 3rd Street  
City: Tempe, State: AZ ZIP: 85280

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment      ☐ Merger  
☐ Security Agreement      ☐ Change of Name  
☐ Other:

Execution Date: September 27, 2000

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: October 2, 2000

A. Patent Application No.(s)  
PCT/GB98/01418

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Todd W. Wight  
Morrison & Foerster LLP  
19900 MacArthur Boulevard  
Suite 1200  
Irvine, California 92612-2445

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

- ☐ Enclosed  
☒ Authorized to be charged to deposit account, referencing  
Attorney Docket 297912001620

8. Deposit account number: 03-1952

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 03-1952.

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Name: Todd W. Wight  
Registration No: (45,218)

Signature

January 9, 2001

Date

Total number of pages comprising cover sheet, attachments and document: 4

02/15/2001 UEDWUJE 00000074 031952 09762761

02 FC:581

40.00 UP

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office  
Office of Public Records  
Box Assignments  
Crystal Gateway 4, Room 335  
Washington, D.C. 20231

oc-176399

## Schedule A

### ASSIGNMENT

WHEREAS, VORTEX INNOVATION LIMITED, a private company registered in England (No. 3297146) having a principal place of business at The Old Hall, Puddington, South Wirral, L64 5SS England has made and/or owns certain new and useful inventions in:

- (1) Vascular Prosthesis and has disclosed the same in an application for Letters Patent of the United States therefor, said application having been executed and filed with the United States Patent and Trademark Office on May 31, 1996, and having been assigned **Application Serial No. 08/656065** (and issuing as U.S. Letters Patent No. 5,861,026 on January 19, 1999); and
- (2) Vascular Prosthesis and has disclosed the same in an application for Patent of the United Kingdom therefor, said application having been executed and filed with the United Kingdom Patent Office on May 31, 1995, and having been assigned **Application Serial No. 9510967.4**; and
- (3) Vascular Prosthesis and has disclosed the same in an application for Patent of the United Kingdom therefor, said application having been executed and filed with the United Kingdom Patent Office on May 17, 1997, and having been assigned **Application Serial No. 9709967.5**; and
- (4) Vascular Prosthesis and has disclosed the same in a Patent Cooperation Treaty Application therefor, said application having been executed and filed on May 15, 1998, having been assigned **Application Serial No. PCT/GB98/01418**, and claiming priority from UK Patent Application No. 9709967.5; and
- (5) Vascular Prosthesis and has disclosed the same in an application for Letters Patent of the United States therefor, said application having been executed and filed with the United States Patent and Trademark Office on October 30, 1998, and having been assigned **Application Serial No. 09/183132**, and being a continuation of Application Serial No. 08/656065; and

WHEREAS, IMPRA, INC. a corporation organized and existing under the laws of the State of Arizona, having a place of business at 1625 West Third Street, Tempe, Arizona, 85281 ("Assignee") is desirous of acquiring the entire interest in all inventions disclosed in the Applications;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which Vortex hereby acknowledges and confirms, Vortex does hereby sell, assign, and transfer unto the Assignee, its successors and assigns, the entire right, title and interest throughout the world in and to all said inventions disclosed in the Applications; and in and to the Applications, including all priority rights for other

countries arising from the Applications; and in and to all substitutions, divisions, and continuations thereof; and in and to all Patents, United States and foreign, that may be granted for said inventions; and in and to all extensions, renewals, and reissues thereof; and still further including the right to sue for past damages.

And Vortex does hereby authorize and request the Commissioner of Patents of the United States and the duly constituted authorities of foreign countries to issue any Patents which may be granted on said inventions, on any applications related thereto, and on any substitute, continuing, divisional, or reissue applications, or any of them, to the Assignee, its successors and assigns, as assignee of the entire right, title and interest therein and thereto.

And for the consideration aforesaid, Vortex does hereby, for itself and for its legal representatives, further covenant and agree with the Assignee, its successors and assigns, that it has full and unencumbered title to the inventions and Applications above described and hereby assigned, which title it warrants unto the Assignee, its successors and assigns; that it has granted to others no license to make, use, or sell said inventions; and that it will not execute any instrument in conflict herewith.

And for the consideration aforesaid, Vortex does hereby, for itself and for its legal representatives, further covenant and agree with the Assignee, its successors and assigns, that upon request it will execute substitute, continuing, divisional, or reissue applications, amended specifications, or rightful oaths; communicate to the Assignee, its successors and assigns, any facts known to it relating to said inventions or the history thereof; execute preliminary statements; testify in any interference or other legal proceedings involving said inventions; execute and deliver any application papers, assignments, or other instruments, and do all other acts which, in the opinion of counsel for the Assignee, may be necessary or convenient to secure the grant of Patents to the Assignee, its successors and assigns, or its nominees, in the United States and in all other countries where the Assignee may desire to have the said inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for the Assignee, and to vest and confirm and complete legal and equitable title to all such inventions, applications, and Patents, and to enable it to record said title, without further consideration than now paid but at the expense of the Assignee, its successors or assigns.

Signed this 11 day of October, 1999.

"Vortex":

Vortex Innovation Limited, a private company registered in England

By: [Signature]

Name: PETER HARRIS

Title: Managing Director

NOTICE OF ACCEPTANCE OF ASSIGNMENT

By Assignment dated October 11, 1999, VORTEX INNOVATION LIMITED did assign to us its rights, title and interest in the following Patent and patent applications:

- 1) U.S. Patent Application No. 08/656,065, now U.S. Patent No. 5,861,026 granted January 19, 1999;
- 2) British Patent Application No. 9510967.4, filed May 31, 1995;
- 3) British Patent Application No. 9709967.5, filed May 17, 1997;
- 4) International Patent Application No. PCT/GB98/01418, filed May 15, 1998; and
- 5) U.S. Patent Application Serial No. 09/183,132;

and we confirm that assignment and proprietorship of the said Patent and patent Applications.

Executed by said  
IMPRA, INC.  
in accordance with the laws of  
its incorporation

BY:

Jan F. Miller  
Name

Dated: February 3, 2000

ASSISTANT SECRETARY  
Title

WITNESSES:

BSTL  
Brian S. Tomko

2/3/2000

Name 730 Central Avenue  
Address Murray Hill NJ 07974

Name  
Address